(d) what steps are being taken to curtail the consumption of tobacco and also to safeguard the interest of non-smokers ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D. K. THARA DEVI SIDDHARTHA) : (a) In our country apart from smoking a large percentage of tobacco consumption is in the form of chewing tobacco, pan masala, snuff etc. A recent study indicates that cigarette consumptions in India has fallen over the last few years. But the fall in cigarette consumption has possibly been compensated by a rise in bidi sale, estimated to be many times more than that of cigarette.

(b) No such study has been conducted.

(c) According to data available under the National Cancer Registry Programme of the Indian Council of Medical Research, nearly one-third of cancer cases are tobacco related. Tobacco is also responsible for cardiovascular and respiratory diseases and many other similar ailments.

(d) For quite sometime the Government have been trying to educate the people about harmful effects of tobacco. Government of India have also issued administrative instructions prohibiting smoking in certain public places like hospitals, educational institutions, conference rooms, domestic air flights, A/C chair cars/sleeper coaches, suburban trains, public transport etc.

Under the Cigarette (Regulaion of Production, Supply and Distribution) Act, 1975 it has been made mendatory to print statutory warning on every cigarrete pack or in its advertisement that "Smoking is injurious to Health".

आन्ध्र प्रदेश में मेडिकल और डेंटल कालेजों को खोले जाने की अनुमति

1400. **श्री अनन्तराम जायसवाल** : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आन्ध्र प्रदेश सरकार ने उच्चतम न्यायालय के इस निर्णय की उपेक्षा करते हुए कि मेडिकल कालेजों और अन्य तकनीकी कालेजों में प्रवेश चन्दे के आधार पर प्रवेश देना संविधान के उपबंधों के विरुद्ध है, 20 शैक्षिक संस्थानों को मेडिकल और डेंटल कालेज खोले जाने की अनुमति प्रदान की थी;

(ख) कुल कितनी संस्थाओं ने इस संबंध में अनुमति मांगी थी और कितनी संस्थाओं को अनुमति दी गयी;

(ग) अनुमति आदेशों के उपबंधों का ब्यौरा क्या है; और

(घ) क्या आन्ध्र प्रदेश के उच्च न्यायालय ने सरकार के अनुमति संबंधी आदेशों को रद्द कर दिया है, यदि हां, तो किस आधार पर और किन-किन मुद्दों पर उच्च न्यायालय ने अपने आदेश दिये थे ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्रीमती डी० के० तारादेवी सिद्धार्थ) :

(क) और (ख) आन्ध्र प्रदेश सरकार द्वारा प्रदान की गई सूचना के अनुसार दिनांक 27-7-1992 को 12 मेडिकल कालेज और 8 डेंटल कालेज खोलने के लिए अनुमति दी गई थी जबकि कैपिटेशन फीस के बारे में मोहिनी जैन बनाम कर्नाटक सरकार के मामले में उच्चतम न्यायालय का आदेश 30-7-92 को घोषित किया गया था ।

(ग) आन्ध्र प्रदेश सरकार द्वारा, अन्य बातों के साथ-साथ, अनुमति इस शर्त पर दी गई थी कि यह सोसाइटी आन्ध्र प्रदेश शिक्षा अधिनियम और उसके अधीन बनाए गए नियमों का पालन करेगी, विश्वविद्यालय से संबद्धता प्राप्त करेगी और संबंधित परिषद् से मान्यता प्राप्त करेगी, कक्षाएं शुरू करने की तारीख से 18 महीने के भीतर एक शिक्षण अस्पताल स्थापित करेगी तथा निर्धारित अर्हताओं वाला अध्यापन स्टाफ नियुक्त करेगी ।

(घ) जी, हां । आंध्र प्रदेश के माननीय उच्च न्यायालय ने मेडिकल/डेंटल कालेज

खोलने के लिए दी गई अनुमति को इस आधार पर अभिखंडित कर दिया है कि आंध्र प्रदेश शैक्षिक संस्थाएं (केपिटेशन फीस का विनियमन और प्रतिबंधन) (संशोधन) अधिनियम, 1992 असंवैधानिक है और यह कि धनाढ्यता अथवा अदायगी करने की क्षमता को सीटें आरक्षित करने के लिए वैध नहीं समझा जा सकता ।

Charging of capitation fees from medical students

1401. SHRI SATISH PRADHAN : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government are aware of the flourishing practice of charging capitation fees exorbitant from the students seeking admission to Degree and Diploma courses such as MBBS, BAMS, BDS by the private colleges/institutes in Maharashtra, Karnataka, Andhra Pradesh and other States since long;

(b) whether permission to private parties for opening such colleges by the State Governments without looking into viability aspect, is a gross violation of law as decided by High Courts/Supreme Court in their recent judgements;

(c) what is the estimated number of students admitted on capitation fees in private Colleges/Institutes in the above discipline State-wise; and

(d) details of action taken/proposed to be taken to deal with the phenomena of capitation fees on uniform basis ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D. K. THARA DEVI SIDDHARTHA) : (a) to (d) As per information provided by the Medical Council of India, some private medical colleges in some States are charging capitation fee or enhanced fees for admission to medical colleges.

The Constitution Bench of the Supreme Court is already seized of the matter regarding charging of capitation fee. As regards establishment of medical and dental colleges without proper infrastructure as prescribed by the respective professional Councils, the President has promulgated two Ordinances on 27-8-92 which are being replaced by Bills already introduced during the current session of Parliament. The Ordinances, inter-alia, provide for prior approval of Central Government before establishment of new medical and dental colleges.

Information regarding the number of students admitted on capitation fees in various colleges are not complied by the Government.

Setting up of modern medical institute in West Bengal on the pattern of AIIMS

1402. SHRI ASHIS SEN :
SHRIMATI SARALA MAHESHWARI :
SHRI MD. SALIM :

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether there is any proposal under Government's consideration to set up a modern medical institute in West Bengal on the pattern of AIIMS and whether Government of West Bengal Offered land for such institute there;

(b) if so, the details thereof;

(c) whether Government are aware that such an institute would help the people of Eastern and North-Eastern States; and

(d) the details of the progress made so far in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D. K. THARA DEVI SIDDHARTHA) : (a) to (d) The Government of West Bengal had requested the Central Government for provision of funds for the establishment of a postgraduate medical institute in or around Calcutta and that the State Govt. would provide all the infrastructural facilities like land etc. On the basis similar requests received from various other States, a Committee was appointed in August, 1990, to make recommendation on such proposals. The Committee had made recommenda-